

REMARKS

In the Office Action mailed June 9, 2008, claim 8 was rejected under 35 USC §112, first paragraph.

Claims 1, 3-5, and 9-10 were rejected under 35 USC §102(b) for alleged anticipation by EP 1103349 to Amherd.

Claim 2 was rejected under 35 USC §103(a) for alleged obviousness by Amherd.

Claims 6-8 were rejected under §103(a) for alleged obviousness based upon Amherd in view of US 2003/0089360 to Eckert.

Applicant appreciates the careful and thorough review of the present application by the Examiner. In view of various clarifying remarks and explanations presented herein, it is respectfully submitted that all claims are in condition for allowance.

A. Rejection of Claim 8 Under §112 is Moot

Claim 8 was rejected under 35 USC §112, first paragraph for alleged lack of enablement. Although Applicant disagrees, in order to expedite allowance of the remaining claims, claim 8 has been cancelled. It is respectfully submitted that this ground of rejection is moot in view of the cancellation of claim 8.

B. Rejection of Claims 1, 3-5 and 9-10 Under §102(b) Should be Withdrawn

These claims were rejected under §102(b) for alleged anticipation by EP 1103349 to Amherd. US 6,662,621 is an equivalent to the EP '349 document and will be referenced as that document is in English.

Independent claim 1 recites a roller holder unit with rollers for use in a pressing tool. The roller holder unit comprises a bearing block and at least one lateral retaining plate for holding the rollers. Claim 1 recites the bearing block as having a particular shape that corresponds to the roll surface and to the outer diameter of the roller. A significant feature of the claimed roller holder unit, is that the force transmitted to the rollers is not transmitted through their axles or lateral retaining plates, but rather through the sliding bearing surfaces defined on the bearing block. It is these bearing surfaces that exhibit the recited particular shape that corresponds to the roll surface and to the outer diameter of the roller. This is explained in the present application as follows:

The rollers 2 are... mutually supported on one another and roll on one another. They are secured from falling out by way of securing pins 21. Since the securing pins 21 do not need to accommodate and [any, sic] bearing forces, they are lightly dimensioned and per se require no extra mounting for the rollers 2 on the securing pins 21. One may even realize an embodiment without through-bores of the rollers 2.

* * *

The main loading of the rollers 2 on actuating the pressing tool on the one hand is produced by the pressing-apart of the rolling flanks 63 of the clamping jaws 62. The direction of this loading is effected via the roller surface in a straight line through the center of the rollers 2 onto the respective other roller. The rollers 2 are thus mutually supported on one another. This means that this loading need not be accommodated nor transmitted by the securing pins 21 and the retaining plates 3. A second type of loading of the rollers is effected by the relative movement of the piston rod 52 and thus of the bearing block 1. This loading is always effected perpendicularly to the bearing block 1. For this purpose the bearing block 1 is provided with the sliding bearing surfaces 11, 12. The sliding bearing surfaces 11, 12 correspond to the circumference and the outer diameter of the rollers 2.

Pages 3-4 of the application [bracketed text added].

In contrast, the '621 patent to Amherd discloses an assembly of a roller holder 15 having a "yoke shape in which there are mounted two rollers 16." As described in col. 3 of the '621 patent, upon actuation of the tool, the piston 12 is displaced, which displaces the piston rod 13 and the roller holder 15 fastened to the piston rod 13. The rollers 16 contact ramp-like surfaces 25 of the clamping jaws 21.

See col. 3, lines 1-10. The '621 patent describes a conventional force transmitting assembly in which relatively large forces from the piston 12 are transmitted to the piston rod 13, to the roller holder 15, to the rollers 16, and to surfaces 25 of the jaws 21. Although not specifically shown in Figs. 1 or 2 of the '621 patent, the force applied to the roller holder 15 is transmitted to the rollers 16 by a conventional roller frame assembly that utilizes a pair of support members and two load-bearing axles upon which the rollers are mounted. The support members and axles are shown in Fig. 2 as a rectangular shape in solid lines having a pair of upper and lower recesses for the pair of axles, shown in solid lines as circles. The support members and axles are disposed immediately to the right of the distal end of the piston rod 13 in Fig. 2. This roller frame assembly transfers forces from the piston rod 13 to the contact surfaces 25 of the jaws. Amherd fails to disclose any structure or technique for transferring forces without use of this conventional roller frame assembly. Amherd, in the '621 patent, is not concerned with force transmission via the roller assembly. Instead, Amherd describes a sensor system to measure displacement of the piston. Restated, the '621 patent fails to disclose any new roller holder assemblies or alternative provisions for transmitting forces via roller holders.

In view of the foregoing, it is respectfully submitted that Amherd fails to disclose the claimed roller holder unit as recited in independent claim 1.

Furthermore, claim 1 contains recitations that expressly distinguish claim 1 from the '621 patent to Amherd. Claim 1 recites that the roller holder unit comprises a bearing block which "in its shape corresponds to the roll surface and thus to the outer diameter of the roller." This claimed feature is exemplified in Fig. 5 of the present application where sliding bearing surfaces 11, 12 are illustrated as each

having an arcuate shape that corresponds to the outer circumferential shape and diameter of the rollers. The '621 patent entirely fails to disclose this claimed feature. Since independent claim 1 is distinguishable over the '621 patent, so too are claims 3-5 and 9-10 dependent therefrom, and so containing all of the recitations of claim 1.

Furthermore, many of the rejected dependent claims recite features that are simply not disclosed by Amherd. For example, claim 3 recites that "the sliding bearing surfaces are mirror-symmetric" and that the "deepest location with respect to the bearing block is located between the periphery of the bearing block and its center." Amherd entirely fails to disclose these features.

Claim 5 recites a "lubrication groove in the sliding bearing surfaces." The Examiner contends that this groove is disclosed by Amherd as "the groove formed between the side wall and middle base portion as shown in figure 1." It is unclear what wall in Figure 1 the Examiner refers to as "the side wall." It is also unclear which region the Examiner considers as "middle base portion." These terms are not found in the '621 patent to Amherd.

Claim 9 recites that the bearing block and the sliding bearing surfaces are of one piece. Where is this disclosure in the '621 patent to Amherd? Applicant respectfully submits that upon further review, the Examiner will appreciate that Amherd fails to disclose the subject matter of claim 9.

Similarly, claim 10 recites that the bearing block, the sliding bearing surfaces, and the retaining plates are of one piece. Amherd fails to disclose this. Accordingly, it is respectfully submitted that Amherd does not anticipate claim 10.

C. Rejection of Claim 2 Under §103(a) Must be Withdrawn

Claim 2, dependent from claim 1, was rejected for allegedly being obvious based upon the previously described patent to Amherd. However, it is respectfully submitted that upon further review, for the reasons previously expressed with regard to the patentability of claim 1, it will be appreciated that claim 2 is also readily distinguishable from the '621 patent to Amherd.

D. Rejection of Claims 6-8 Under §103(a) Must be Withdrawn

These claims were rejected for alleged obviousness based upon Amherd in view of US 2003/0089360 to Eckert. Claims 6 and 7 ultimately depend from previously discussed claim 1 (it will be recalled that claim 8 was cancelled). And so, each of these claims contains all of the recitations of claim 1. Thus, the rejection is addressed by whether the '360 publication to Eckert remedies the deficiencies of the '621 patent to Amherd.

Eckert describes an assembly for releasing the bow string of a bow such as used in archery. The '360 publication has nothing to do with pressing tools using relatively high forces to displace a pair of pressing jaws.

Regardless, upon closer review of Eckert's bow string release assembly, there is absolutely no teaching or even suggestion of the features in claim 1 which are also present in claims 6 and 7. For example, where in the '360 publication to Eckert is there any teaching or suggestion of providing a bearing block having a shape that corresponds to the surface of the rollers and to their outer diameter? There is no such teaching in the '360 publication to Eckert. Accordingly, it is respectfully submitted that the present rejection must be withdrawn.

E. New Claims 11-14

New claims 11-13 recite particular materials for the recited rollers, sliding bearing surfaces, and bearing block. No new matter is added by any of these claims as support is found in the application as originally filed, and particularly on page 4. New claim 14 recites a feature made possible from the novel force transmission of the roller holder. Support for this feature is on page 3 of the application.

F. Conclusion

In view of the foregoing, it is respectfully submitted that upon further review, the Examiner will appreciate that the cited art fails to disclose or teach the subject matter of the pending claims, and thus all claims are in condition for allowance

If there are any fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. RTC-17657.

Respectfully submitted,

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